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REMARKS

Claims 1-20 and 22-24 are pending in the application. Claim 21 was rejected under 35 U.S.C. § 101 and under 35 U.S.C. § 112. Claims 1-20 and 22-23 were rejected under 35 U.S.C. § 103 (a).

Rejection Under 35 U.S.C. § 101

Claim 21 was rejected under 35 U.S.C. § 101 because the Office Action states that the claims are directed to non-statutory subject matter.

Applicants have responded by canceling claim 21.

Rejection Under 35 U.S.C. § 112

Claim 21 was rejected under 35 U.S.C. § 112 first and second paragraphs.

Applicants have responded by canceling claim 21.

Rejections Under 35 U.S.C. § 103 (a)**Rejection Under Havinis, O'Donnell, Kalev, Hsu and Lipsanen**

Claims 1-13, 16-20 and 23 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U. S. Patent Number 6,463,289 issued to Havinis on October 8, 2002 in view of U. S. Patent Number 6,266,514 issued to O'Donnell on July 24, 2001 and U. S. Patent Number 6,308,071 issued to Kalev on October 23, 2001 and U.S. Patent Number 7,272,387 issued to Hsu et al. on September 18, 2007 and U. S. Patent Number 7,103,345 issued to Lipsanen on September 6, 2006.

Applicants respectfully traverse this ground of rejection for the following reasons.

First, applicants' claim 1 recites,

"a network component that employs a) one or more call characteristics to make a determination to initiate a request to a switch component for one or more positions of one or more mobile stations and b) one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations, wherein at least one of the one or more call parameters employed to identify one of the

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one or more cellular network cells is a telephony number of at least one of the one or more mobile stations; and

wherein the network component receives, in response to the request, the one or more positions of the one or more mobile stations from a position component that determines the one or more positions of the one or more mobile stations continuously; and

wherein the switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters."

Havinis discloses a cellular network for defining restricted positioning areas by geographical location. The restricted area information can be established by the cellular network or a mobile subscriber. Havinis discloses a Gateway Mobile Location Center 290 (GLMC 290), which the Examiner has equated to applicants' "network component", and Havinis discloses a Serving Mobile Location Center 270 (SMLC 270), which the Examiner has equated to applicants' "position component". See page 7 of the Office Action.

As stated in the Office Action, Havinis does not specifically disclose "wherein the network component receives, in response to the request, the one or more positions of the one or more mobile stations from a position component that determines the one or more positions of the one or more mobile stations continuously". The Examiner proposes to combine O'Donnell with Havinis to achieve this limitation. However, applicants assert that the proposed combination of Havinis and O'Donnell fails to teach or suggest this limitation, because applicants' claim 1 requires the use of only one position component. By contrast, the Examiner proposes to use **two different** types of position components in order to achieve applicants' claim 1. In particular, the Examiner proposes to use 1) Havinis' Serving Mobile Location Center 270 (SMLC 270), which determines a mobile's position upon request from Mobile Switching Center/Visiting Location Center 14 (MSC/VLR 14), as stated in column 3, lines 26-40 and 2) O'Donnell's positioning function 8, which determines the identity and location of a mobile only when quality measures fall below a specific threshold and invoked by a

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base station controller (BSC), as stated in column 6, lines 20-31. However, there is no way to combine these two devices so as to form applicants' recited **"a position component that determines the one or more positions of the one or more mobile stations continuously"**.

Second, as stated in the Office Action, Havinis as modified by O'Donnell does **not** disclose "a network component that employs one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations". The Examiner proposes to combine Kalev with Havinis to achieve this limitation. However, applicants assert that the proposed combination of Havinis and Kalev fails to teach or suggest this limitation, because applicants' claim 1 requires the use of only **one** network component. By contrast, the Examiner proposes to use **two different types** of network components in order to achieve applicants' claim 1. In particular, the Examiner proposes to use 1) Havinis' Gateway Mobile Location Center 290 (GLMC 290), which requests routing information from HLR 26 and sends positioning requests to MSC/VLR 14, as stated in column 4, lines 35-46 and 2) Kalev's base station controller 4, that employs one or more call parameters, as asserted by the Examiner. However, there is no way to combine these two devices so as to form applicants' recited **"a network component that employs one or more call parameters to identify one or more cellular network cells associated with the one or more mobile stations"**.

Third, the Examiner proposes to combine Lipsanen with Havinis as modified by O'Donnell, Kalev and Hsu. However, applicants assert that the proposed combination of Havinis as modified by O'Donnell, Kalev and Hsu with Lipsanen does **not** reflect the specific limitations recited in applicants' claim 1 since the resultant system would **not** be a properly functioning system. Specifically, the Office Action states that Kalev teaches a network component, i.e., base station controller 4, that employs one or more call parameters, i.e., location area code and cell identity, to identify one or more cellular network cells associated with the one or more mobile stations. Also, the Office Action states that Hsu discloses the use of a **telephony number, i.e., the MSISDN of a mobile station, as a specific call parameter**, i.e., "at least one of the one or more call parameters", to identify one or more cellular network cells associated with the one or more mobile stations.

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By contrast, Lipsanen does not teach the use of a telephony number, i.e., the MSISDN of a mobile station, as a specific call parameter as done in Hsu. Instead, the Examiner asserts "assigning a channel communication for a call between mobile terminal 4 and a fixed telephone 5, wherein the MSC searches a database to verify the A-number before assigning a channel for communication between the mobile telephone 4 and fixed telephone 5" as a specific call parameter. However, the system resulting from the proposed combination of Havinis as modified by O'Donnell, Kalev and Hsu with Lipsanen would not be a properly functioning system, because "assigning a channel communication for a call between mobile terminal 4 and a fixed telephone 5, wherein the MSC searches a database to verify the A-number before assigning a channel for communication between the mobile telephone 4 and fixed telephone 5" as done in Lipsanen cannot be used as a call parameter to "identify one or more cellular network cells associated with the one or more mobile stations" as done in Hsu. Thus, the proposed combination of Lipsanen with Havinis as modified by O'Donnell, Kalev and Hsu is improper.

Therefore the proposed combination of Havinis as modified by O'Donnell, Kalev, Hsu and Lipsanen does not teach or suggest all of the limitations in applicants' claim 1, and therefore claim 1 is allowable over the proposed combination. Since claims 2-13, 16-17 and 22-23 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 18 and 21 each have a limitation similar to that of independent claim 1, which was shown is not taught by the proposed combination. For example, claims 18 and 21 recite, "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters". The proposed combination of Havinis, O'Donnell, Kalev, Hsu and Lipsanen does not teach or suggest this limitation for the above-mentioned reasons. Therefore, claims 18 and 21 are likewise allowable over the proposed combination. Since claims 19-20 depend from claim 18, these dependent claims are also allowable over the proposed combination.

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Rejections Under Havinis, O'Donnell, Kalev, Hsu, Lipsanen, Jeong and Alperovich

Claims 14 and 15 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Havinis in view of O'Donnell, Kalev, Hsu and Lipsanen as applied to claim 13, and further in view of U.S. Patent Application Number 20050119013 issued to Jeong et al. dated June 2, 2005.

Claim 22 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Havinis in view of O'Donnell, Kalev, Hsu and Lipsanen as applied to claim 16, and further in view of U.S. Patent Number 6,233,448 issued to Alperovich et al. on May 15, 2001.

Applicants respectfully traverse these grounds of rejection.

These rejections are based on the rejection under Havinis, O'Donnell, Kalev, Hsu and Lipsanen being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "wherein a switch component assigns a channel to the at least one of the one or more mobile stations for a call upon a comparison of a calling party number with the at least one of the one or more call parameters", as recited in applicants' independent claims 1, 18 and 21, the combination of O'Donnell with Kalev, Hsu, Lipsanen, Jeong and Alperovich does not supply this missing element. Thus, this combination does not make obvious any of applicants' claims, all of which require the aforesaid limitation.

New Claim

New claim 24 has been added. Claim 24 provides an additional limitation directed to the network component. No new matter has been added.

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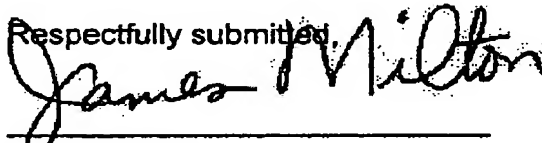
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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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